

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 011738.00164

First Inventor Al Almendinger

Title IMPLANTABLE MEDICAL DEVICE TELEMETRY PROCESSOR

Express Mail Label No. EL735120056US

22288 US TO
10/05/03
09/05/03

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17) *(Submit an original and a duplicate for fee processing)*
2. Applicant claims small entity status. See 37 CFR 1.27.
3. Specification *[Total Pages 24]*
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings *(if filed)*
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C.113) *[Total Sheets 12]*
 - a. Formal; or
 - b. Informal
5. Oath or Declaration *[Total Pages 2]*
 - a. Newly executed (original or copy); or
 - b. Copy from a prior application (37 CFR 1.63 (d)) *(for a continuation/divisional with Box 18 completed)*
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program *(Appendix)*
8. Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 C.F.R. §3.73(b) Statement Power of *(when there is an assignee)* Attorney
11. English Translation Document *(if applicable)*
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No: 09 / 595,971

Prior application information: Examiner Schaezle Group / Art Unit: 3762

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label *(Insert Customer No. or Attach bar code label here)* or Correspondence address below

Name	William J. Allen Banner & Witcoff, Ltd.				
Address	10 S. Wacker Drive Suite 3000				
City	Chicago	State	IL	Zip Code	60606
Country	USA	Telephone	312-463-5000		Fax 312-463-5001

Name (Print/Type)	William J. Allen	Registration No. (Attorney/Agent)	51,393
Signature	<i>William J. Allen</i>		Date September 5, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 750)

Complete if Known	
Application Number	n/a
Filing Date	September 5, 2003
First Named Inventor	Almendinger, et al.
Examiner Name	n/a
Art Unit	n/a
Attorney Docket No.	11738.00164

METHOD OF PAYMENT (check all that apply)					FEE CALCULATION (continued)				
<input type="checkbox"/> Check	<input type="checkbox"/> Credit card	<input type="checkbox"/> Money Order	<input type="checkbox"/> Other	<input type="checkbox"/> None	3. ADDITIONAL FEES				
<input checked="" type="checkbox"/> Deposit Account:					Large Entity		Small Entity		
Deposit Account Number	19-0733				Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
Deposit Account Name	Banner & Witcoff, Ltd.				1051	130	2051	65	Surcharge - late filing fee or oath
					1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.
					1053	130	1053	130	Non-English specification
					1812	2,520	1812	2,520	For filing a request for <i>exparte</i> reexamination
					1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
					1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
					1251	110	2251	55	Extension for reply within first month
					1252	410	2252	205	Extension for reply within second month
					1253	930	2253	465	Extension for reply within third month
					1254	1,450	2254	725	Extension for reply within fourth month
					1255	1,970	2255	985	Extension for reply within fifth month
					1401	320	2401	160	Notice of Appeal
					1402	320	2402	160	Filing a brief in support of an appeal
					1403	280	2403	140	Request for oral hearing
					1451	1,510	1451	1,510	Petition to institute a public use proceeding
					1452	110	2452	55	Petition to revive – unavoidable
					1453	1,300	2453	650	Petition to revive – unintentional
					1501	1,300	2501	650	Utility issue fee (or reissue)
					1502	470	2502	235	Design issue fee
					1503	630	2503	315	Plant issue fee
					1460	130	1460	130	Petitions to the Commissioner
					1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)
					1806	180	1806	180	Submission of Information Disclosure Stmt
					8021	40	8021	40	Recording each patent assignment per property (times number of properties)
					1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))
					1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))
					1801	750	2801	375	Request for Continued Examination (RCE)
					1802	900	1802	900	Request for expedited examination of a design application
					Other fee (specify) _____				
					*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) _____
									(\$ 0)

SUBMITTED BY					Complete (if applicable)
Name (Print/Type)	William J. Allen	Registration No. Attorney/Agent)	51,393	Telephone	312-463-5000
Signature				Date	September 5, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form.

this form may become public. Credit card information should never be provided on this form. Provide credit card information and authorization on PTO-2038.

Provide credit card information and authorization on **PTO-2038**.
This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231

**CERTIFICATE OF MAILING BY EXPRESS MAIL
(PATENT APPLICATION)**

Express Mail No. EL735120056US

Deposited September 5, 2003

I hereby certify that the attached correspondence, identified below, is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop New Patent Application, P.O. Box 1450, Alexandria, Virginia 22313-1450.

By: 
(person *actually* depositing)

Application of: Almendinger, et al.

Application No.: n/a

Filing Date: September 4, 2003

Title: Implantable Medical Device Telemetry Processor

- (X) Utility Patent Application Transmittal, 1 page
- (X) Specification, 24 pages, including claims and abstract
- (X) Application Data Sheet, 3 pages
- (X) Fee transmittal in duplicate, 1 page
- (X) Executed Declaration, 2 pages
- (X) Preliminary Amendment, 6 pages
- (X) 12 sheets of formal drawings, figs. 1-12
- (X) Information Disclosure Statement, 1 page
- (X) Form PTO/SB/08A with cited references
- (X) Return Receipt Postcard

Attorney Docket No: 11738.00164